

From: "Zimmerman, Chris" <CZimmerman@amerisourcebergen.com>
Sent: Fri, 6 May 2011 15:09:01 -0400 (EDT)
To: "Eddy, Julie" <JEddy@amerisourcebergen.com>, "Norton, Rita" <RNorton@amerisourcebergen.com>, "Mays, Steve" <SMays@amerisourcebergen.com>, "Ross, Paul" <PRoss@amerisourcebergen.com>, "Reid, Shay" <SReid@amerisourcebergen.com>, "Stone, Rob" <rob.stone@absg.com>, "Brecko, Joe" <JBrecko@amerisourcebergen.com>, "Short, Joe" <JShort@amerisourcebergen.com>
Cc: "Chou, John" <JChou@amerisourcebergen.com>, "Howell, Peyton" <peyton.howell@absg.com>
Subject: RE: Agreement for FL pill mill legislation reached and will pass (HB 7095)

Watch out Georgia and Alabama, there will be a mass exodus of Pillbillies heading north.

From: Eddy, Julie
Sent: Friday, May 06, 2011 2:27 PM
To: Zimmerman, Chris; Norton, Rita; Mays, Steve; Ross, Paul; Reid, Shay; Stone, Rob; Brecko, Joe; Short, Joe
Cc: Chou, John; Howell, Peyton
Subject: Agreement for FL pill mill legislation reached and will pass (HB 7095)

An agreement was reached between the FL House, Senate, Governor's office, and Attorney General. Key points affecting wholesalers are as follows:

1. 3d degree felony is back in and it indicates that "any person who submits a false report.... Or knowingly engages in the wholesale distribution of prescription drugs...commits a felony of the 3d degree..." and now there are penalties assessed (page 51 of the bill listed below)
2. The reporting requirement is similar to what we amended and is still monthly (page 53)
3. The due diligence language is still in there that requires "a determination of the clinical nature of the receiving entity, including any specialty practice area..." (page 54)
4. The 5,000 cap for wholesalers is gone but a wholesaler must also "assess orders greater than 5,000 unit doses" of any one controlled substance to determine whether the purchase is reasonable..." (page 55)
5. Unclear and will need rule clarification is a clause that indicates "A wholesale distributor may not distribute controlled substances to an entity if any criminal history record check for any person association with the entity shows that the person has been convicted of..." Language that appeared to require wholesalers do the background check is gone. (page 55 & 56)
6. The PDMP was funded with \$3 million dollars and cannot accept funds from drug manufacturers
7. Thefts must be reported within 24 hours of discovery (page 80)
8. The newer buy back language was included. Since most physicians can no longer dispense, wholesalers have requirements to take back drugs (page 85)
9. After the act is effective, wholesalers must work with the DOH to identify practitioners who purchased an average of 2,00 unit doses of controlled substances (Schedule II and III), per month in the previous 6 months.....(page 87).

I will need to go through this more thoroughly but wanted to get the information out ASAP to let you know that an agreement was reached. Steve and I are going to be spending some time in Tallahassee this summer to clear up some of the vagueness (and perhaps unreasonableness) through the rule-making progress.

PLAINTIFFS TRIAL
EXHIBIT
P-00282_00001

If you have any questions, please let me know.

Julie

[http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?
FileName=486424.DOCX&DocumentType=Amendments&BillNumber=7095&Session=2011](http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=486424.DOCX&DocumentType=Amendments&BillNumber=7095&Session=2011)